
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Present law requires a local school board to review and formally act upon each proposed charter within 30 days of its submission. Further provides that the local board engage in an application review process that complies with the latest Principles and Standards for Quality Charter School Authorizing as promulgated by the National Association of Charter School Authorizers.

Proposed law extends the time frame within which a local school board must act upon a charter school proposal to within 90 days of its submission and specifies that the local board's review process be transparent.

Proposed law provides that a local school board may accept charter proposals until February 28th of each year and shall provide written notification of its final decision on a charter proposal submitted for its review to the chartering group not later than May 31st. Further provides that notifications of charter proposals denied shall include a written explanation of the reasons for such denial.

Present law provides that a local school board's formal review and action does not require final approval or disapproval within 30 days, but within such time the local school board shall indicate whether it is interested in working with the charter school group on its proposal and what specific timelines and procedures the board will follow prior to coming to a final decision. Further provides that if the local school board expresses no interest in working with the group or if no final decision is received within 60 days after submission of the proposal, then the chartering group may submit its proposal to BESE for its review.

Proposed law deletes provisions that allow a local school board to refrain from final action on a submitted charter proposal within the specified time frame and instead requires the local school board to make public through its website, and in printed form upon request, the following:

1. Guidelines for submitting a charter proposal.
2. Forms required for submission of a charter proposal.
3. The timelines established for accepting and reviewing charter proposals
4. The process that will be used to review charter proposals.
5. The name and contact information for the primary point of contact for charter proposals.

Proposed law deletes the 30 day time frame provided for response to a submitted charter proposal provided in present law and instead provides that if no final decision is received within 90 days after submission of a proposal, the chartering group may submit its proposal to BESE for review.

Present law requires that local school boards make vacant school facilities of any facility slated to be vacant available to chartering groups for lease or purchase at fair market value.

Proposed law deletes the requirement that local school board make facilities available to chartering groups "at fair market value" and instead provides that such facilities be made available "up to" fair market value.

Present law requires the chartering group, in return for use of such facilities, to pay a share of the local board's bonded indebtedness associated with such facilities, to be calculated in accordance with applicable law.

Proposed law specifies that the chartering group shall pay a proportionate share of the local school board's bonded indebtedness related to such facilities.

Present law provides that for a Type 2 charter created as the result of a conversion, the facility and all property within the existing school shall also be made available to the chartering group under similar terms.

Proposed law deletes the requirement that facilities be provided to these Type 2 charters "under similar terms."

Present law provides that an approved charter shall be valid for an initial period of 5 years and may be renewed for additional periods of not less than 3 nor more than 10 years. Provides that the process for renewing a school charter shall be the same as for initial charter approval.

Proposed law retains these provisions and additionally provides that the chartering authority shall notify a chartering group in writing of any decisions made relative to the renewal or non-renewal of a school's charter not later than January 31st of the year in which the charter would expire. Further provides that notifications of charter proposals denied shall include a written explanation of the reasons for such denial.

Present law provides that no charter shall be renewed unless the charter renewal applicant can demonstrate using standardized test scores, improvement in the academic performance of pupils

over the term of the charter school's existence.

Proposed law retains these provisions and additionally provides that:

1. Each charter school must be provided by the chartering authority with the criteria and procedures that will be used when considering whether to renew a school's charter.

2. A charter school which has met or exceeded the benchmarks established for it in accordance with the school and district accountability system, has demonstrated growth in student achievement, and has had no significant audit findings shall be deemed a high-performing school and its charter shall be automatically renewed.

Effective August 15, 2010.

(Amends R.S. 17:3982(A)(1)(a) and (2) and (B), and 3992(A)(1) and (2))